

Discovery House, Phillip ACT 2606
PO Box 200, Woden ACT 2606
Australia
Phone +61 -2 6283 2211
Facsimile +61 -2 6285 3593
Internet <http://www.ipaustralia.gov.au>

9 April 2001

SPRUSON & FERGUSON
GPO Box 3898
SYDNEY NSW 2001

Your Ref : 470656:PAL

Examiner's first report on patent application no. 36889/99
by CANON KABUSHIKI KAISHA

RECEIVED
JUN 14 2001
Technology Center 2100

Dear Madam/Sir,

I am replying to the request for normal examination. I have examined the application and I believe that there are lawful grounds of objection to the application. These grounds of objection are:

1. The scope of claims 1-4 is indeterminate. The technical terms used in the claims and the embodiments described in the specification are specific to the art in colour conversion schemes. But, the claims are not limited to the colour conversion. Since the specification does not identify other applications where this scheme might be applicable and since no other embodiments are described, it is difficult to determine the scope of these terms outside the art of colour conversion schemes. Hence the claims must be limited to colour conversion related to image data.

This search has been limited to the colour conversion schemes related to image data.

2. Claims 1 does not adequately define the invention because the claim omits following features.
 - a) The claims do not define that the type of data is specific to colour data of an image.
 - b) The embodiment described in pages 6-21 of the specification and the prior art compared are both limited to the tetrahedral interpolation. But, the claim is not limited to the tetrahedral interpolation method.

If any interpolation method can be used instead of tetrahedral interpolation, then at least one embodiment related to a different interpolation method must be described in the specification.

3. In claims 1, 6, 11, 12, the feature "executing data conversion of the input value by interpolating the value obtained by the look-up table" is not clear. Particularly, the term "the value obtained by the look-up table" is not clear.
Further, it is not clear if the input value used in the interpolation is before normalisation or after normalisation.

Furthermore, the relationship between the output value and other values mentioned in the claims is not clear from the wording of the claim.

This may be partly due to the non-idiomatic translation of the specification.

4. Claims 13, 18 and 23 are not fairly based on the invention described in the specification because it omits "the look-up table" and "sufficiently large value" which from reading the specification as a whole appears to be essential to the invention. The predetermined value must be a large value to achieve the objective of computational efficiency.
5. When I consider all of the claims together, I cannot understand the scope of the monopoly being claimed because it is not readily clear what combination of integers defines the invention. This is because different claims have different combinations of integers.
6. Claims 1-27 are not novel when compared to US 5748195 (NIN) which discloses all the features of each of the independent claims. Furthermore, I consider that the features added by the appended claims do not contribute to patentable invention.

I apologise for your application not being considered within the time set out in our Customer Service Charter. We are refining our processes to address these delays.

You have 21 months from the date of this report to overcome all my objection(s) otherwise your application will lapse. You will need to pay a fee for any response you file after 12 months from the date of this report before I can consider that response.

Yours faithfully,


SWAYAM CHINTAMANI
Examiner of Patents, Section B5
Telephone: (02) 6283 2202